

REMARKS

The claims now pending in the application are Claims 1 to 6 and 10 to 15, the independent claims being Claims 1 and 10 to 15. Claims 7 and 16 to 20 have been cancelled herein. Claims 1 and 10 to 15 have been amended herein.

In the Official Action dated November 7, 2003, Claims 1 to 9, 11 to 12, 14 to 17, 19 and 20 were rejected under 35 U.S.C. § 102(b), as anticipated by U.S. Patent No. 5,067,813 (Ishizuka), and Claims 10, 13 and 18 were rejected under 35 U.S.C. § 103(a), as unpatentable over the Ishizuka '813 patent, in view of U.S. Patent No. 5,909,333 (Best). Reconsideration and withdrawal of the rejections respectfully are requested in view of the above amendments and the following remarks.

The rejections of the claims over the cited art respectfully are traversed. Nevertheless, without conceding the propriety of the rejections, Claims 7 and 16 to 20 have been cancelled herein and Claims 1 and 10 to 15 have been amended herein more clearly to recite various novel features of the present invention, with particular attention to the Examiner's comments. Support for the proposed amendments may be found in the original application. No new matter has been added.

The present invention relates to a novel displacement detection apparatus and method, in which a laser beam is split into a plurality of light beams and focused close to one another using a beam splitter having an optical anisotropy; the reflected beams then are split by a polarizing prism and a plurality of optical systems individually detect the light beams and output light receiving signals that are compared to detect/determine a relative displacement of the light beams. As discussed in greater detail in the present application, this apparatus/method permits a significant improvement in detection resolution.

Applicant submits that the prior art fails to anticipate the present invention. Moreover, Applicant submits that there are differences between the subject matter sought to be

patented and the prior art, such that the subject matter taken as a whole would not have been obvious to one of ordinary skill in the art at the time the invention was made.

The Ishizuka '813 patent relates to an optical apparatus for measuring displacement of an object, and discloses an optical encoder which projects laser beams on a point symmetry position of a ring type scale and measures a moving amount using a reflected beam. However, Applicant submits that the Ishizuka '813 patent fails to disclose or suggest at least the above discussed features of the present invention. Nowhere is the Ishizuka '813 patent understood to disclose or suggest a system in which the beam is split into a plurality of light beams close to one another by a beam splitter having anisotropy.

The Best '333 patent relates to a servo-writing system for use in a data recording disk drive, and was cited for its disclosure of a combined magnetic recording apparatus and a displacement detection apparatus. However, Applicant submits that the Best '333 patent fails to disclose or suggest at least the above discussed features of the present invention. Nor is the Best '333 patent understood to add anything to the Ishizuka '813 patent that would make obvious the claimed invention.

For the above reasons, Applicant submits that independent Claims 1 and 10 to 15 are allowable over the cited art.

Claims 2 to 6, 8 and 9 depend from Claim 1, and are believed allowable for the same reasons. Moreover, each of these dependent claims recites additional features in combination with the features of independent Claim 1, and is believed allowable in its own right. Individual consideration of the dependent claims respectfully is requested.

In formal matters, the specification and abstract of the disclosure have been amended as to matters of form, including English spelling, grammar, idiom, syntax and the like. No new matter has been added.

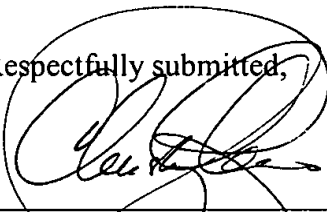
By separate paper filed concurrently herewith, Applicant has submitted a Request for Approval to Amend the Drawings and a Submission of Substitute Formal Drawings. No new matter has been added.

Finally, Applicant notes the Examiner's comment regarding an apparent discrepancy between the Inventors name as set forth in the original application transmittal papers ("Koh") and as set forth in the later submitted Inventor's Declaration ("Ko"). It is noted that the version submitted in the original application papers merely is a different version/English translation of the same name. It is respectfully requested that the latter version "Ko Ishizuka", as set forth in the Inventor's Declaration, be adopted for all further prosecution in the subject application.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action, and submits that the application is in allowable form. Favorable consideration of the claims and passage to issue of the present application at the Examiner's earliest convenience earnestly are solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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